

## Open Records Policy

### Open Records Requests and Records Retention

The LaRue County Public Library is subject to the Kentucky Open Records Act (KRS 61.870-61.884) and certain requirements with regard to records retention.

#### Retained records

The LaRue County Public Library will maintain and retain its records in accordance with applicable laws and regulations. Unless otherwise provided by law, records may be retained or discarded according to the Records Retention Schedules as adopted by the State Archives and Records Commission.

#### Public records

Not all records of the LaRue County Public Library will necessarily be “public records” under the Open Records Act, and even some public records are exempt from operation of the Act. “Public record” generally means all books, papers, maps, photographs, cards, tapes, discs, diskettes, records, or other documentary materials prepared, owned, used, in the possession of, or retained by the Library. It does not include any records owned by a private person or corporation that are in the possession of the Library or one of its employees.

#### Requests for records

The LaRue County Public Library Director (or designee) acts as Custodian for all of the Library’s public records. Any resident of the Commonwealth may request to inspect or receive copies of the Library’s non-exempt public records. All requests to view or copy the Library’s public records pursuant to the Kentucky Open Records Act must be made in writing and must contain the requester’s name, signature, manner in which the applicant is a resident of the Commonwealth under KRS 61.870(10) (*underlined text is optional*) and a description of the documents that are being requested. If a requester is requesting to be provided with copies of non-exempt public records, they must provide a sufficiently precise description of the documents they are seeking so as to allow the Records Custodian to readily identify them.

All Open Records Requests must be submitted via U.S. Mail, facsimile transmission, email, or hand delivery. Open Records Requests made through any other means will not be honored. The requestor will be directed to make the request through one of the acceptable methods. Application forms for the inspection of the public records of this agency will be furnished on request to any person. Requesters may use the *Request to Inspect Public Records* form provided by the Office of the Attorney General, but are not required to do so. Assistance in completing the application form will be provided by an employee on request. Open Records Requests should be directed to the attention of the Library’s Records Custodian:

Director Dana Jolly  
270-358-3851

Mailed requests must be addressed to:  
LaRue County Public Library  
Director Dana Jolly  
215 Lincoln Drive  
Hodgenville, KY 42748

Requests may be delivered in person to:  
215 Lincoln Drive  
Hodgenville, KY 42748

Requests may also be delivered by fax to 270-358-8647 or emailed to  
info@laruelibrary.org.

## **Response**

The LaRue County Public Library has five business days (except Saturdays, Sundays and legal holidays) in which to respond to an Open Records Request. This time begins to run the next business day after the request is received.

The response to an Open Record Request may: (1) grant the request, (2) deny the request, (3) explain that there will be a delay in responding to the request; or any combination thereof. To the extent a request is granted, the response will provide a timeframe when the requested non-exempt public documents may be inspected in person, or will inform the requester of the applicable copying charge and postage fee required to be paid before copies of the non-exempt public documents may be provided. To the extent a request is denied, the response will provide a statement of the specific exception authorizing the withholding of the record and a brief explanation of how the exception applies to the record withheld. To the extent the full response to a request is delayed, the initial response will give a detailed explanation of the cause for any delay and an estimate of when a complete response may be expected.

## **Copies**

To the extent a request is granted, copies of the responsive non-exempt public records requested may be provided at a cost of \$0.10 per page, along with any applicable postage costs, all of which must be pre-paid by the requester. The LaRue Public Library may also recover costs associated with staff time expended in responding to a request made for a commercial purpose.

## **On site examination of records**

To the extent a request is granted, individuals requesting to review records will be allowed to schedule a time to conduct on-site inspection of non-exempt public records during the regular hours of the LaRue County Public Library Monday – Friday. An on-site inspection may be required by the Library if the request is not precise in nature or if the requester resides or maintains his or her principle place of business within LaRue County. Public records must be inspected in the location set by the Library. During their inspection, a requester may copy non-exempt public records (at their own cost), but may not remove, alter or add to documents provided for review. The Library is responsible for protecting the security of public records in its custody, and may require that a staff member be present during any inspection or copying of its public records.

## **Denial of request**

Certain public records are exempt from inspection under the Open Records Act. Circulation and Library use records for individual patrons are exempt from inspection, and requests to inspect or receive copies of these records will be denied, as will a request to inspect or receive copies of any other records which either are not public or which are exempt under the Act. Under certain circumstances, the Library may find that a request would create an unreasonable burden to comply with, and may deny such a request for that reason. Requests that the Library believes are intended to disrupt its essential functions will also be denied. Reasons that a request may be deemed unduly burdensome for compliance, or which may be disruptive to the Library may include time and expense involved in retrieving and duplicating the records, or in the type and nature of the request. To the extent a request is denied, the Library will provide a statement of the specific exception authorizing the withholding of the record and a brief explanation of how the exception applies to the record withheld.

## **Destruction of Records**

The library destroys documents regularly as a part of its record retention schedule. Once a document has been retained for a sufficient time to satisfy its retention cycle, it is subject to destruction at any time. The Library's Records Custodian ensures that the schedule of retention and destruction of records is maintained. A Records Destruction Certificate will be completed and filed with the Kentucky Department for Libraries and Archives' Division of Archives and Records Management whenever documents are destroyed according to the retention schedule.

## **Additional Information**

The Kentucky Open Records & Open Meetings Acts: A guide for the public and public agencies and the Request to Inspect Public Records form, published by the Office of the Attorney General, and other information regarding Open Records Requests may be found online at: <https://ag.ky.gov>.

## Open Request Form

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Best phone number: \_\_\_\_\_

Signature: \_\_\_\_\_

Please note all applicable statutes regarding open records requests may be found in KRS 61.870-884 and include:

- The use of this form is not required for an open records request.
- The library has five (5) business days, not including the day a request is submitted to respond to an open records request. Business days do not include weekends and legal holidays.
- Printed or copied documents will be charged ten (10) cents per page for black and white copies/prints/scans.
- For extensive requests, the library may ask for additional time to produce documents that are requested. Requests which create an unreasonable burden on the library will be denied.
- Narrowing the scope of your request and being specific in your request will aid the library in response and producing requested documents.
- The library is only required to produce existing documentation.
- Unless otherwise requested, all requested documents will be emailed to the requestor. Postage may be charged for mailed documentation.
- Requestors have the option to view requested documents onsite by making an appointment with the Library Director during regular business hours (Monday - Friday, excluding legal holidays).

Please describe below the records that are requested:

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For Library Use only - Date received: \_\_\_\_\_ Time \_\_\_\_\_